

#### **DETAILED ACTION**

1. This is the second Office action on the merits of Application No. 10/563,520, filed on 05 May 2006. Claims 1-24 and 26-37 are pending.

#### **Documents**

2. The following documents have been received and filed as part of the patent application:

- Copies of Foreign Priority Documents, received on 01/05/06
- Information Disclosure Statement, received on 05/05/06
- Declaration and Power of Attorney, received on 05/05/06
- Information Disclosure Statement, received on 10/06/08
- Terminal Disclaimer, received on 03/24/09

#### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Applicant's attorney, Neil S. Bartfeld, on 23 March 2009.

The application has been amended as follows:

Claim 4:

- Line 2, “an input side and an output side” has been amended as --the input side and the output side--.

Claim 7:

- Line 2, “the speed and torque” has been amended as --speed and torque--.

Claim 10:

- Line 2, “the position of the selector assembly” has been amended as --a position of the selector assembly--.

Claim 11:

- Line 2, “the relative rotational positions” has been amended as --relative rotational positions--.

Claim 13:

- Line 3, “record the torque in the transmission” has been amended as --record a torque in the transmission--.

Claim 33:

- Line 2, “the speed and torque” has been amended as --speed and torque--.

**Claim 37:**

- Line 1, "A transmission system having including first and second rotatable shafts" has been amended as --A transmission system including first and second rotatable shafts--.

***Terminal Disclaimer***

4. The terminal disclaimer filed on 24 March 2009 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent issuing from U.S. Patent Application No. 10/563,514 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Allowable Subject Matter***

5. Claims 1-24 and 26-37 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Applicant's arguments, see pages 11-15 of REMARKS, filed on 12 January 2009, with respect to claims 1-24 and 26-37 have been fully considered and are persuasive. Accordingly, all previous rejections have been withdrawn.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David D. Le whose telephone number is 571-272-7092. The examiner can normally be reached on Mon-Fri (0900-1730).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles A. Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/David D. Le/  
Primary Examiner, Art Unit 3655  
03/25/2009

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